

SELECTMEN'S MEETING MINUTES

July 26, 2011

Members Present: Larry Harrington, Chairman
James J. DeVellis, Vice Chairman
Mark Sullivan, Clerk
Lorraine Brue
Lynda Walsh

Others Present: Kevin Paicos, Town Manager
Jerome Hanley
Ira Seigel, Ames Rifle & Pistol Club
Chairman of Veterans' Affairs Committee
Police Chief Edward T. O'Leary
Bob Boette, Chairman Conservation Commission

The meeting was brought to order at 7:00 by Larry Harrington, Chairman. The Chairman asked for a Moment of Silence in memory of Myra Kraft, wife of N.E. Patriots owner Robert Kraft, who passed away this week.

7:00 – Citizens Input – Chairman Harrington acknowledged Jerome Hanley for his service to this Country and his concern for his buddies still “over there”. Jerome asked the Town to help his buddies by sending care packages.

7:10 – Donation to Veterans Gift Fund – Kevin Paicos said that after Jerome Hanley put out the call the response has been great. He noted that Larry and Judee Harrington had given cases of protein bars. He introduced Ira Siegal, president of the Ames Rifle & Pistol Club, supporters of all things regarding public safety and military. Ira Siegal made the presentation of a gift of \$1,000 to the Veterans Service Agent to be deposited in the Veterans Gift Fund. Bob Siteman, Chairman of the Veterans Service Agent Committee, read the Citation in support of the war in Afghanistan and Lance Corporal Jerome Hanley's dedication to service.

Motion by Lynda Walsh to accept the donation of \$1,000 from the Ames Rifle & Pistol Club to be deposited in the Veterans Gift Fund. Seconded by Lorraine Brue. **Vote: 5-0-0**

7:25 – Amend Commercial Parking Regulations – Police Chief O'Leary presented his recommendations to revise the commercial parking regulations. He reviewed the current regulations, noting that these had been adopted by the Town in 1972 with amendments made five times since then, the latest being March of this year. The Chief pointed out that these changes in parking regulations would help to control and regulate binge drinking. He said that tailgating has become a part of the culture and this is a step towards trying to

restrict the tailgating that goes on before the scheduled events. He does not want to punish those who behave responsibly but he does want to try to curtail those that use any excuse to "get drunk". He expressed concerns about the upcoming New England Country Music Festival. The Chief wants to make it very clear that any drinking in public outside of set Tailgate hours is an arrestable offense. He asked the Board to have a public hearing prior to August 27 & 28th so that these revisions could be made and enacted immediately upon approval.

A discussion ensued. Members of the Board had comments and questions regarding some of the regulations currently in place, when would tailgate hours be determined and how would that be communicated to patrons and questions regarding regulation of neighborhood parking. Bill Casbarra explained that there are no regulations on residential parking. Not having a license could result in a violation; it depends on the location of the parking space. Jim DeVellis had questions on item #16. He feels that as long as a revision of the parking regulations is being considered this section should be updated. Larry Harrington said he would like to see an update of #16. Lorraine Brue pointed out that in #17 there is no mention of cars parked in excess of 10 vehicles. She asked if #17 applies to those who park more than 10 but less than 15 vehicles. The number of spaces should include 11 to 150 spaces.

7:45 – Use of Economic Development Funds – Bob Boette, Conservation Committee Chairman, was present for this discussion. Kevin Paicos said it had been brought to his attention that four pieces of property under the jurisdiction of the Conservation Commission are for rent. Two are rented the other two are vacant. The property at 10 Fairbanks Road has fallen into disrepair and it would cost approximately \$20,000 to make appropriate repairs and cleanup in order to put it on the market. Tim Cummings noted that quotes from vendors are still coming in. Without these repairs the property is not rentable. Expected rent income after repairs is \$24,000 per year.

A general discussion ensued. Questions and comments from Board members included inquiries about how the property became Town property, a brief history of rental experience of 10 Fairbanks Rd. property and whether or not the property could be sold. There was skepticism among the Board members regarding the expected \$24,000 per year rent income. Mark Sullivan pointed out that it would be difficult to sell the property but that Conservation would love not to rent the property. Tim Cummings noted that more investigation should be done before moving forward with action regarding a sale of the property. Kevin Paicos explained that under State statute it would take about three years to get legislative permission to sell the property. Jim DeVellis asked to have someone look into the deed restrictions. Larry Harrington suggested having construction people evaluate the whole property. Mark Sullivan volunteered to work with Bob Boette and Jim DeVellis to go over the property and make a full evaluation. It was suggested that Bill Casbarra be involved to determine whether there are any existing structural issues. Kevin Paicos explained what is being done with North

Street property. After Labor Day he plans to bring all appropriate departments to determine what resources are available and what the costs would be to rehab that property. Larry Harrington asked that these issues be brought before the Board after investigations.

8:05 – Town Manager Report Re: Evaluation of Town Counsel and discussion of RFP – Kevin Paicos reported that the Attorney General's Office had agreed that the Article on the ATM Warrant was submitted correctly. He said the Town Clerk did a good job submitting this material. Kevin also said the Attorney General will allow Town Counsel to file a brief and to reconsider on August 15 (the same day as Mansfield will be heard).

RFP for Town Counsel – Kevin Paicos reported that other Town Managers questioned are not aware of any kind of standard process for an evaluation of Town Counsel. However, he said that does not mean there cannot be a discussion on an evaluation. He said the past practice seems to have been to be the responsibility of the BOS. Larry Harrington pointed out that a lengthy discussion had taken place a few meetings ago and that the process at this meeting is to discuss an RFP and make a decision on whether or not the Board wants to go forward. He asked the Town Manager to look at the process, go through the list of what an RFP would look like and come back to the Board in August; the Board would then take a vote.

8:30 - Town Manager Evaluation – Larry Harrington explained that it is too early to do an evaluation based on goals and objectives. He said he would like to do this in open session and asked if Kevin wanted to look at only goals and objectives or to include leadership, etc. with respect to his performance. Kevin's response was that he is "pretty open"; he wants to do the job the way this Board wants it done. A Town Manager Evaluation form was distributed; Lynda Walsh got the form from MMA. Larry Harrington noted that this evaluation is "out of sync" with timing of this evaluation so that the Board can share with Kevin how he has done. He would like to move to a twelve month period. Larry Harrington suggested that the Board take a week to review the form allocations, etc. and if there is consistency among Board members, the Board would meet with Kevin. If there are real differences of opinion he would want to further discuss this in open session. He would like to follow up in September to look at goals and objectives. A brief discussion ensued relative to time frame for submitting evaluation forms, meeting with Kevin and possibly scheduling another public session. Kevin Paicos asked that the Board review carefully his memo on Mid-Year Goals and Objectives as this is a strategic plan on moving forward and it is important that this plan meets with the Board's approval. He pointed out that every time this list is updated there are changes; steps are added or get changed and it is important for the Board to be aware of changes. Larry Harrington said there would be a meeting in September to look at goals and objectives. He said the time line looks like that by March the Town would have a DPW director and an HR director. He would like to have Kevin's monthly reports continue.

ACTION:

Minutes: The Minutes for the Board of Selectmen's meeting of June 28, 2011 were reviewed.

Motion by Lynda Walsh to approve the Minutes for the Meeting of June 28, 2011 as amended. Seconded by Lorraine Brue. **Vote: 5-0-0**

Building Fee Increases – Bill Casbarra, Building Commissioner said these fees have not been increased in eight years; adjustments need to be made. He referred to a list of fees for ten surrounding towns. Bill explained that there are no uniform methods for charges; each town uses a different formula. He prefers to base the fees on square footage rather than construction costs. He wants to charge reasonable fees for the services provided. He pointed out that new fees have been added, sheet metal a \$40.00 fee and Zoning & Certificate of Compliance at \$45.00. A brief discussion was held.

Motion by Lynda Walsh to approve the "Proposed Changes to Permit Fees" as submitted by Bill Casbarra, Building Commissioner. Seconded by Jim DeVellis. **Vote: 5-0-0**

Invoice – Received from Deutsch/Williams an invoice for Retainer Fees for the month of July, 2011 in the amount of \$4,083.33.

Motion by Jim DeVellis to approve the Invoice from Deutsch/Williams for Retainer Fees for the month of July, 2011 in the amount of \$4,083.33. Seconded by Lorraine Brue. **Vote: 5-0-0**

Life Insurance for Town Manager – Received from Banner Life Insurance Company an invoice in the amount of \$1,562.00 for the renewal of the life insurance for the Town Manager.

A brief discussion was held. It was the consensus of the Board to allow this policy to lapse.

Recreation Donation – Received from Debbie Giardino, Recreation Director, notice of receipt of a gift in the amount of \$2,000 from the Masonic Angel Fund to be used for Foxborough children in need to attend the summer camp program.

Motion by Lynda Walsh to accept with gratitude the check in the amount of \$2,000 from the Masonic Angel Foundation, Inc. in support of scholarships for Booth Camp. Seconded by Mark Sullivan. **Vote: 5-0-0**

Donations – Veterans Gift Fund – Received from Michael Johns, Veterans Agent, notice of receipt of two donations - Mark & Sheri Rogers, 8

Ridgewood Rd., Webster, MA in the amount of \$200.00 and Stanley & Dorothy Bates, P.O. Box, North Easton, MA in the amount of \$100.00.

Motion by Lynda Walsh to accept with gratitude donations to the Veterans Gift Fund from Mark & Sheri Rogers in the amount of \$200.00 and Stanley & Dorothy Bates in the amount of \$100.00. Seconded by Lorraine Brue.

Vote: 5-0-0

YMCA Annual Road Race – Received from Hockomock Area YMCA, Invensys Foxboro Branch a request for permission to conduct its 9th Annual Road Race on Sunday, September 18, 2011.

Motion by Mark Sullivan to grant permission to the Hockomock Area YMCA, Invensys Foxboro Branch to conduct its 9th Annual Road Race as requested. Seconded by Jim DeVellis. **Vote: 4-0-1** Lorraine Brue abstained.

Hackie License – Received from Steven Gerons Pooley, 110 Francis Ave. Mansfield an application for a new Hackie License to drive for East Coast Limousine.

Motion by Lynda Walsh to approve the new Hackie License application as submitted by Steven Gerons Pooley. A two year license. Seconded by Lorraine Brue. **Vote: 5-0-0**

Appointments – C. Paul Dumas to Norfolk County Advisory Board for a 1-year term expiring 8/1/12. Joan Gallivan as Alternate to Norfolk County Advisory Board for a 1-year term expiring on 8/1/12.

Motion by Mark Sullivan to approve the appointment of C. Paul Dumas to the Norfolk County Advisory Board for a 1-year term expiring on 8/1/12. Seconded by Lorraine Brue. **Vote: 5-0-0**

Motion by Lynda Walsh to approve the appointment of Joan Gallivan as Alternate to Norfolk County Advisory Board for a 1-year term expiring on 8/1/12. Seconded by Lorraine Brue. **Vote: 5-0-0**

Kevin Paicos to MBTA Advisory Board – no term limit; Kevin Paicos as Alternate to the Metro Area Planning Council – 3-year term and Kevin Paicos to Three Rivers Interlocal Council for a 3-year term.

Motion by Lynda Walsh to approve the appointment of Kevin Paicos to the MBTA Advisory Board – no term limit. Seconded by Lorraine Brue. **Vote: 5-0-0**

Motion by Mark Sullivan to approve the appointment of Kevin Paicos as Alternate to the Metro Area Planning Council – a 3 year term. Seconded by Jim DeVellis. **Vote: 5-0-0**

Motion by Mark Sullivan to approve the appointment of Kevin Paicos to the Three Rivers Interlocal Council for a 3-year term. Seconded by Jim DeVellis.

Vote: 5-0-0

One Day Entertainment License – Received an Application for a One Day Entertainment License from Foxboro Foursquare Church d.b.a. The River Community Church for Saturday, August 20, 2011, 2:00 to 9:00 p.m.

Motion by Mark Sullivan to approve the application for a One Day Entertainment License as submitted by the Foxboro Foursquare Church on August 20, 2011, 2:00 to 9:00 p.m. sSeconded by Lynda Walsh. **Vote: 5-0-0**

Board of Selectmen Meeting Schedule – The BOS Meeting Schedule was reviewed. The meeting for August 23 was rescheduled for August 30, 2011.

Big Y – Public Hearing Scheduled on July 28 for Special Permit for Big Y Supermarket.

Pole Relocation – Motion by Mark Sullivan to approve the telephone pole #6 relocation at Payson & North Streets. Seconded by Lorraine Brue.

Vote: 5-0-0

Motion by Lynda Walsh to go into Executive Session for the purpose of Review of Executive Session Minutes to to exit from Executive Session for the sole purpose of adjournment. Seconded by Lorraine Brue.

Vote: 5-0-0	Larry Harrington, Chairman	Yes
	Jim DeVellis, Vice Chairman	Yes
	Mark Sullivan, Clerk	Yes
	Lorraine Brue	Yes
	Lynda Walsh	Yes

Motion by Jim DeVellis to adjourn. Seconded by Mark Sullivan.
Vote: 5-0-0 Meeting adjourned at 9:45 p.m.

Mark Sullivan, Clerk